

*JPW*

**Certification under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to THE COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on August 3, 2006.

Brian W. Hameder (Reg. No. 45,613)  
Name

*Brian W. Hameder*  
Signature

DOCKET: CU-3456

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Kenichi FURUKAWA et al. )  
SERIAL NO: 10/715,623 ) Group Art Unit:  
FILED: November 18, 2003 ) Examiner:  
TITLE: OPTICAL DISK APPARATUS, CONDITION MEASURING METHOD,  
AND CONDITION MEASURING POSITION SETTING METHOD

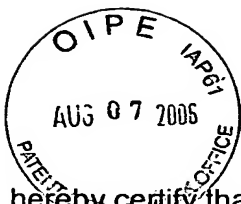
THE COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of the first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: August 3, 2006

*Brian W. Hameder*  
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**INFORMATION DISCLOSURE STATEMENT**

Applicant submits herewith patents, publications or other information of which the Applicant is aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose under 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The references submitted herein are listed on PTO-1449 form (modified) enclosed herewith. A copy of each reference listed is being furnished except any duplicate or cumulative patents or publications specified otherwise. Also, if the present application was filed after June 30, 2003, copies of US patents or published applications are not submitted in accordance with the USPTO Rule changes.

A translation of any foreign language reference, if any, is indicated in PTO-1449 form and being submitted herein if it is readily available. Otherwise it should be construed that such translation is not readily available.

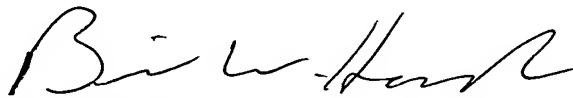
Additional comments, if any, on the relevance of each reference listed are provided as follows:

**Also submitted herein is a copy of the European Search Report which satisfies the requirement for a translation or concise explanation of any non-English reference cited therein, as provided in MPEP §609 A(3).**

The Statement is made on the basis of the information:

<input type="checkbox"/>	supplied by the inventor(s);
<input checked="" type="checkbox"/>	supplied by an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)); or
<input type="checkbox"/>	in the attorney's file.

Respectfully submitted,



Date: August 3, 2006

Signature of Attorney  
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FORM PTO-1449  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (37 CFR 1.98(b))	ATTY. DOCKET NO.	SERIAL NO.
	CU-3456	10/715,623
	APPLICANT	
	Kenichi FURUKAWA et al.	
	FILING DATE	GROUP
	November 18, 2003	

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	PATENT DOCUMENT	ISSUE/PUB DATE	PATENTEE	CLASS	SUB- CLASS	FILING DATE
	2002/0150012	10/17/02	Hsiao et al.			
	2002/0064110	05/30/02	Sato			
	2002/0141308	10/03/02	Matsumoto			
	2002/0136121	09/26/02	Salmonsens et al.			
	2001/0003519	06/14/01	Tsukihashi			

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

EXAMINER INITIAL	DOCUMENT NUMBER	PUBL. DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB- CLASS	TRANSLATION	
						YES	NO
	JP 2002-298356	10/11/02	Japan				
	EP 1 244 097	09/25/02	EPO				

**OTHER DOCUMENTS (Including Author, Title, Date, Place of publication)**
